

**SELECT COMMITTEE ON  
PEIA, SENIORS AND LONG TERM CARE**

**INTERIM REPORT TO THE JOINT COMMITTEE ON GOVERNMENT AND FINANCE  
JANUARY 10, 2012**

**Senate Members:**

Ronald Miller, Chair  
Dan Foster  
Mike Hall  
Walt Helmick  
Robert Plymale

**House Members:**

Larry Williams, Chair  
Denise Campbell  
Sam Cann  
Bill Hamilton  
Ricky Moyer  
Don Perdue  
John Pino  
Dale Stephens  
David Walker

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Introduction

During the 2011-2012 interim period, the Select Committee on PEIA, Seniors and Long Term Care studied the following topics:

**Senate Concurrent Resolution 38, Requesting Joint Committee on Government and Finance study needs, challenges and issues facing West Virginians with Alzheimer's**

**House Concurrent Resolution 65, Requesting the Joint Committee on Government and Finance study the state's in-home direct care workforce**

**House Concurrent Resolution 151, Requesting the Joint Committee on Government and Finance study the creation of an Elder and Vulnerable Adult Victims Trust Fund**

Guest Speakers

During the June interim meeting, Ms. Jennifer McPherson, Committee analyst, discussed the study resolutions assigned to the committee.

In July, Mr. Mark Knabenshue, Executive Director of the Committee for Hancock County Senior Citizens, Inc., and Mr. Michael Koon, Vice President of Economic and Workforce Development at West Virginia Northern Community College, presented to the committee regarding West Virginia's in-home direct care workforce, the pilot training program offered to Hancock County Senior Wellness Center staff and the development of a statewide in-home direct care worker registry.

During the August interim meeting, Mr. Ted Cheatham, Director of the Public Employees Insurance Agency, updated the committee on PEIA's rates and benefits for active and retired employees.

In September, Ms. Barbara "Bobby" Reynolds, Acting Commissioner of the West Virginia Bureau of Senior Services, discussed and answered questions regarding the Golden Mountaineer Discount Card. Mr. Phil Schenk, Director of the West Virginia Long Term Care Partnership, presented to the committee regarding projects of the West Virginia Long Term Care Partnership, and Ms. Jane Marks, Executive Director of the West Virginia Chapter of the Alzheimer's Association, presented to the committee regarding the Make A Plan for Alzheimer's in West Virginia (MAP) initiative.

Dr. Bernard Schreurs, Professor, West Virginia University Department of Physiology and Pharmacology and Blanchette Rockefeller Neuroscience Institute, gave a presentation to the committee at the October meeting regarding the West Virginia Alzheimer's Disease Registry and the latest findings and research at Blanchette Rockefeller Neurosciences Institute.

In November, Mr. Mark Muchow, Deputy Secretary of the West Virginia Department of Revenue, discussed state income taxes on Social Security benefits. Ms. Diana Stout, General Counsel for the West Virginia State Treasurer's Office, discussed the creation of an Elder and Vulnerable Adult Victims Trust Fund.

During the December meeting, Ms. Jane Marks, Executive Director of the West Virginia Chapter of the Alzheimer's Association, discussed the Make A Plan for Alzheimer's in West Virginia (MAP) initiative. Ms. Hanna Thurman, State Director for the Aging and Disability Resource Centers, West Virginia Bureau of Senior Services, and Don Morris, a representative of the Silver Haired Legislature, discussed the Silver Haired Legislature and their legislative recommendations. Ms. Jennifer McPherson, Committee analyst, presented draft legislation regarding the creation of an in-home care worker registry and the draft interim report to the Joint Committee on Government and Finance for the committee.

### Conclusions

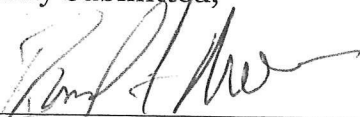
The committee requested additional information from several of the presenters. All handouts and information contained in the minutes for the meetings are on file in the office of the Select Committee on PEIA, Seniors and Long Term Care. The committee will continue to monitor legislation regarding the needs, challenges and issues facing West Virginians with Alzheimer's Disease, the state's in-home direct care workforce and the creation of an Elder and Vulnerable Adult Victims Trust Fund.

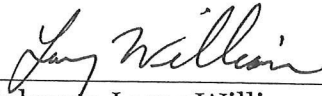
The committee recommends that the West Virginia Legislature appropriate additional funding to the West Virginia Department of Agriculture to increase the voucher amount for the Seniors' Farmers' Market Nutrition Program to \$50.

The committee recommends that the West Virginia Legislature support legislation to support and enact recommendations of the West Virginia Alzheimer's Association Make a Plan for Alzheimer's Final Report.

The committee recommends that the West Virginia Legislature adopt legislation to create an in-home direct care worker registry maintained by the Bureau of Senior Services that will detail education, experience, qualifications and background check records.

Respectfully Submitted,

  
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Senator Ronald Miller, Co-Chair

  
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Delegate Larry Williams, Co-Chair



## HOUSE OF DELEGATES WEST VIRGINIA LEGISLATURE

BUILDING 1, ROOM M-212  
1900 KANAWHA BLVD., EAST  
CHARLESTON, WV 25305-0470  
PHONE (304) 340-3200

January 8, 2012

The Honorable Harry Keith White, Chairman  
House Committee on Finance  
1900 Kanawha Boulevard, East  
Building 1, Room 462M  
Charleston, WV 25305

The Honorable Roman Prezioso, Chairman  
Senate Committee on Finance  
1900 Kanawha Boulevard, East  
Building 1, Room 465M  
Charleston, WV 25305

Dear Chairman White and Chairman Prezioso:

Eligible seniors who apply for vouchers for the Senior Farmers' Market Nutrition Program currently receive \$20 in vouchers to use at farmers markets around the state. The Silver Haired Legislature would like this amount increased to \$50 for each senior. The Select Committee on Seniors, PEIA and Long Term Care supports this change.

The Committee respectfully requests that additional monies be appropriated to the West Virginia Department of Agriculture to expand this program. This program is currently funded by the USDA and benefits approximately 25,000 West Virginia seniors. While the state Department of Agriculture has requested additional federal funds for this program, if approved, this additional funding will only allow them to increase the vouchers to \$30.

Any amount of additional voucher money will provide eligible seniors with more fresh produce to supplement their diets. In addition, the increased spending will trickle back to local farmers across the state. The Committee urges you to review this request for allocation of additional funding to the Senior Farmers' Market Nutrition Program.

Please see the attached position paper from the 2011 West Virginia Silver Haired Legislature regarding funding for the West Virginia Department of Agriculture's Senior Farmers' Market Nutrition Program for more information.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Miller", is written over a horizontal line.

Senator Ronald Miller, Co-Chair  
Select Committee on PEIA, Seniors and Long Term Care

A handwritten signature in black ink, appearing to read "Larry Williams", is written over a horizontal line.

Delegate Larry Williams, Co-Chair

1                   SENATE/HOUSE CONCURRENT RESOLUTION NO.

2                                   (By Senator/ Delegate)

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7 Urging legislative support of the recommendations included in the  
8 West Virginia Partnership for Elder Living's Make a Plan for  
9 Alzheimer's Final Report and Recommendations.

10       Whereas, According to the Alzheimer's Association, 44,000 West  
11 Virginians over 65 have Alzheimer's and 4,000 individuals under 65  
12 have younger-onset Alzheimer's; and

13       Whereas, The number of West Virginians with Alzheimer's is  
14 expected to rise dramatically as the state's 500,000 baby boomers  
15 enter the age period at the greatest risk for developing the  
16 disease; and

17       Whereas, The Make a Plan for Alzheimer's initiative was  
18 created to develop a long-term plan to address Alzheimer's disease  
19 in West Virginia; and

20       Whereas, The present and future impact of Alzheimer's disease  
21 and related dementias in West Virginia demands the implementation  
22 of solutions directed at improving quality of care; the training  
23 and awareness of healthcare providers, families and the public; and  
24 fostering research into all aspects of the disease.

25       Whereas, These recommendations will provide more information

1 regarding Alzheimer's disease to patients, families, caregivers,  
2 the medical community and policymakers; expand care and improve the  
3 quality of care available to Alzheimer's patients; and equip  
4 families and health care workers with the training, tools and  
5 resources they need to better care for individuals living with  
6 Alzheimer's; therefore, be it

7       *Resolved by the Legislature of West Virginia:* The West  
8 Virginia Legislature supports the recommendations of the West  
9 Virginia Partnership for Elder Living's Make a Plan for Alzheimer's  
10 Final Report and Recommendations; and, be it

11       *Further Resolved,* The West Virginia Legislature will work to  
12 adopt legislation to support and appropriate funding to implement  
13 the recommendations included in the Make a Plan for Alzheimer's  
14 Final Report and Recommendations.

House / Senate Bill No. ---

(By Delegate/Senator )

A BILL to amend and reenact §16-5P-6 of the Code of West Virginia, 1931, as amended; clarifying the duties of the Commissioner of the Bureau Senior Services as executive and administrative head of the Bureau of Senior Services; requiring the Bureau for Senior Services to develop and maintain an in-home direct care worker registry.

*Be it enacted by the Legislature of West Virginia:*

That §16-5P-6 of the Code of West Virginia, 1931, as amended, be amended and reenacted:

**ARTICLE 5P. SENIOR SERVICES.**

**§16-5P-6. Powers and duties generally.**

The Commissioner ~~shall be~~ is the executive and administrative head of the Bureau and ~~shall have~~ has the power and duty to:

(a) Exercise general supervision of the Bureau;

(b) Propose legislative rules for the effective and expeditious performance and discharge of the duties and responsibilities placed upon the Commissioner by law;

(c) Conduct and coordinate studies of the problems of the state's older people;

1       (d) Encourage and promote the establishment of local programs  
2 and services for the aging;

3       (e) Conduct programs of public education on the problems of  
4 the aging;

5       (f) Review state programs for the aging, and annually make  
6 recommendations to the Governor and the Legislature;

7       (g) Encourage and assist governmental and private agencies to  
8 coordinate effective efforts on behalf of the aging;

9       (h) Coordinate statewide local and voluntary efforts to serve  
10 the aging and develop programs at the local level;

11       (i) Supervise fiscal management and responsibilities of the  
12 Bureau;

13       (j) Keep an accurate and complete record of all Bureau  
14 proceedings, record and file all bonds and contracts and assume  
15 responsibility for the custody and preservation of all papers and  
16 documents of the Bureau;

17       (k) Submit an annual report to the Governor on the condition,  
18 operation and functioning of the Bureau;

19       (l) Invoke any legal or special remedy for the enforcement of  
20 orders or the provisions of this chapter;

21       (m) Standardize administration, expedite Bureau business,  
22 revise rules and promote the efficiency of the service;

23       (n) Provide a program of continuing professional, technical  
24 and specialized instruction for the personnel of the Bureau and



1 local service providers; and

2 (o) Receive on behalf of the state any grant or gift and  
3 accept the same, so that the title shall pass to the state. All  
4 moneys from grants or gifts shall be deposited with the State  
5 Treasurer in a special fund and shall be used for the purposes set  
6 forth in the grant or gift; and

7 (p) Create and maintain a registry of certified in-home direct  
8 care workers that details qualifications and experience of in-home  
9 direct care workers in West Virginia. The Bureau shall propose  
10 legislative rules in accordance with the provisions of §3-29a of  
11 this code, to establish eligibility criteria for inclusion in this  
12 registry, including educational and certification requirements and  
13 the completion of a criminal background check.

NOTE: The purpose of this bill is to create an in-home direct care workforce registry to detail qualifications and experience of in-home direct care workers in West Virginia.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.